

Westfield-Washington Advisory Plan Commission held a meeting on Monday, August 5, 2013 scheduled for 7:00 PM at the Westfield City Hall.

**Opening of Meeting:** 7:01 PM

**Roll Call:** Note Presence of a Quorum

**Commission Members Present:** Daniel Degnan, Robert Horkay, Chuck Lehman, Bill Sanders, Robert Smith, Robert Spraeetz, and Danielle Tolan.

**City Staff Present:** Jennifer Miller, Assistant Director; Andrew Murray, Associate Planner; Sarah Reed, Associate Planner; Brian Zaiger, City Attorney

**Approval of Minutes:**

Motion: To approve the minutes for the July 15, 2013 APC meeting as amended.

Motion: Tolan: Second: Smith: Vote: Passed by voice vote.

Reed reviewed APC Rules & Procedures.

**Case No.** Plan Commission Order 13-03  
The Westfield Redevelopment Commission is seeking an order from the Westfield Advisory Plan Commission to determine that the Redevelopment Commission Declaratory Resolution to create the Southside Economic Development Area conforms to the Westfield-Washington Township Comprehensive Plan.

Murray presented a brief overview of Plan Commission Order 13-03.

Degnan asked what the next step is after Order is approved? Murray explained the City Council and Redevelopment Commission are the next bodies to act on the proposal.

Motion to send Plan Commission Order 13-03 to the City Council with a favorable recommendation.

Motion: Smith; Second: Spraeetz Vote: 7-0.

**Case No.** **1305-PUD-04 (Continued)**  
**Description** The Enclave & Springs at Viking Meadows PUD  
Southeast corner of 161<sup>st</sup> Street and Oak Ridge Road; Pulte Homes of Indiana, LLC requests a change in zoning of approximately 63 Pulte Homes of Indiana, LLC requests a change in zoning of approximately 63 acres +/- from the Villas at Timber Ridge PUD District and the AG-SF1 District to the Enclave and Springs at Viking Meadows PUD District.

**Case No. 1308-PUD-09 (Public Hearing)**

**Description:** Viking Meadows PUD Amendment: Parcels E and F  
Southwest and Southeast corner of 161<sup>st</sup> Street and the Monon Trail; Pulte Homes of Indiana, LLC requests amendments to Section 5 and Section 16 of the Viking Meadows PUD Ordinance and exhibits referenced therein (Ordinance No. 04-22), to modify development standards applicable to Parcel E and Parcel F of the Viking Meadows PUD.

Reed presented a brief overview of 1308-PUD-09 Viking Meadows PUD Amendment Parcels E and F. Plan.

Presentation by Steve Hardin with Faegre, Baker & Daniels, LLC, which provided a history on 1305-PUD-04 leading up to the current proposal.

Dave Compton, Pulte Homes of Indiana provided an overview of the current proposal.

Public Hearing opened at 7:30 pm.

Mr. Jeremy Callahan expressed concern about what the Knox box is/looks like, and stated that he doesn't understand the need for a through street.

Ms. Janet Lome stated that she would like the street to remain a dead-end and would like to meet with Fire Marshall, Mr. Harling.

Mr. Barry Wiggins stated that he would like to know more about the Knox box, and stated that he does not want additional traffic. Wiggins would like clarification on Dave Compton's presentation, noting that it seemed that they were including the Helios subdivision in Viking Meadows.

Mr. Jim Gross expressed concerns about the use of amenities by residents from E and F regardless of the PUD and he does not believe that the proposed amenities will be sufficient. Gross noted that within PUD there are several statements related to withdrawing E and F that will create conflict in implementation.

Mr. Ron Thomas noted that the change in amenities is not consistent with the MF2 amenity standards. Thomas noted that the law establishes requirements and noted that much of the comments have been about covenants. He added that he believes that landscaping is not an amenity.

Ms. Linda Naas questioned the process noting that this petition has not been before the Council. She stated that the Council was not informed about the project and that this amendment changes the Viking Meadows PUD not the Covenants. Naas claims that Council was not aware that the other petition is a new PUD and impacts more than Viking Meadows residents.

Ms. Cindy Spolijaric noted that she was not aware of this petition, as it was not introduced to Council. She stated that the language being used is confusing, specifically citing the use of the word "annex" throughout presentations and documents. Spolijaric's understanding of the PUD is that other parcels may be included/excluded, but they are not the ones noted.

Mr. John Dippel stated that he was notified of this petition last Friday. Dippel noted that Council policy is that these items are heard by Council before coming to the Advisory Plan Commission. Dippel feels that this is being rushed and would like to have the item sent to Council for review prior to a recommendation.

Public Hearing closed at 8:00 pm.

Hardin responded that the difference between the zoning change and the annexation change is adding properties to the Declaration of Covenants, Conditions and Restrictions (the "Declaration").

Degnan asked about the amenities and the language being used with regard to annexation.

Hardin responded that Parcels E and F have not been made part of the Declaration. He added that residents asked about the Enclave and Springs PUD which generated this petition. He said that Pulte is not trying to rush the process, and that the amendment will be introduced at next Monday at the Council meeting.

Compton spoke regarding the proposed changes to the PUD as a result of the change to the Declaration. He noted that the Monon Trail is a public trail. He further stated that buyers they are trying to attract do not want five different amenities. He added that the petition will be introduced at Council next week and will not likely be back before APC until September.

The Commissioners had a discussion about the review process as it applies to this PUD Amendment for Parcels E and F. Zaiger commented, noting the history, motivation of petitioner, and statute requirements.

Staff and the Commission agreed that no action is required tonight on this item.

**Case No.**           **1209-PUD-11 (Continued)**  
**Description:**     Springmill Corner PUD  
                          SE corner of Springmill Road and 161<sup>st</sup> Street; Cooperstown Partners, LLC request a  
                          change in zoning of approximately 6.5 acres from AG-SF1 to the Springmill Corner  
                          PUD.

## **REPORTS/COMMENTS**

### **APC MEMBERS**

No report.

### **CITY COUNCIL LIAISON**

No report.

### **BZA LIAISON**

No report.

### **ECD STAFF**

No report.

**ADJOURNMENT** (8:23 p.m.)

Motion by Degnan. Seconded by Tolan. Motion passed by voice vote.

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President, Ken Kingshill

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Vice President, Charles Lehman

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Secretary, Matthew S. Skelton